

**CITIZENS' COMMISSION ON
JAIL VIOLENCE**

**SEVENTH REPORT
OF THE IMPLEMENTATION MONITOR
EXECUTIVE SUMMARY**

RICHARD E. DROOYAN

JULY10, 2013

SEVENTH REPORT OF THE IMPLEMENTATION MONITOR

EXECUTIVE SUMMARY

INTRODUCTION

Since I submitted my Sixth Report to the Board of Supervisors on May 14, 2013, the Department has continued to work with the Chief Executive's Office to finalize the plans for the Custody Division Training Bureau (to implement or further implement Commission recommendations 5.2, 5.3, 5.8 and 6.3). It has also provided additional support for its funding requests to the Chief Executive's Office for additional investigators for the Internal Affairs Bureau ("IAB") and the Internal Criminal Investigative Bureau ("ICIB") (Recommendations 7.1, 7.6, 7.9) and for seven Compliance Lieutenants (Recommendations 3.10, 7.8, 7.9). The CEO reports that it "has concluded its preliminary review of the Department's request[s] and has asked for a more comprehensive proposal." The CEO "anticipate[s] a recommendation to the Board will be submitted within the next 60 days" from July 2, 2013.

During this period, the Department completed its proposal for a new Inspectional Services Command (Recommendation 4.12), which I submitted to the CEO with the Consultants and my approval on June 7, 2013. In response to a request by the CEO, the Department provided additional information regarding the proposal directly to the CEO on June 28, 2013.

The Department also conducted an assessment of the operations staff for the East Facility in the Pitchess Detention Center to create a model for assessing the staffing needs of each of the eight jail facilities by October 2013. (Recommendation 4.11.) The Department also submitted further support for its request for additional supervisors,

which the Consultants and I have reviewed. I anticipate that this proposal will be submitted to the CEO by the end of the month.

Finally, the Department completed the revisions to the Force Manual to make it clearer and easier for Department personnel to use. The revised Manual has now been approved by the Department and it will be published later this week.

As reflected in the summary chart set forth below, as of the date of this Report, the Department has implemented 37 of the Commission's 60 recommendations directed to the Department.¹ It has partially implemented another 11 recommendations and is in the process of implementing another 12 recommendations. The Department has requested funding to implement fully 15 of the remaining 23 recommendations.

Category	Implemented	Partially Implemented	In progress	Total	Funding Request
Use of Force	8	1	3	12	2
Management	11	0	3	14	2
Culture	5	3	0	8	3
Personnel/ Training	5	4	1	10	3
Discipline	7	3	5	15	5
Oversight	1	0	0	1	0
Total	37	11	12	60	15

¹ The Appendix attached to this summary reflects the implementation status of each of the recommendations as of my Second Report (January 22, 2013), my Third Report (February 12, 2013), my Fourth Report (March 12, 2013), my Fifth Report (April 9, 2013), my Sixth Report (May 14, 2013), and my Seventh Report (July 10, 2013).

USE OF FORCE

On January 1, 2013, the Department promulgated a new Use of Force Policy (the “Force Policy”). Pursuant to the Commission’s recommendations, the Department distributed to each Deputy Sheriff and Custody Assistant a Use of Force Manual (the “Force Manual”) that includes pertinent provisions of the Department’s Manual of Policies and Procedures (the “MPP”), the Custody Division Manual, and the Court Services Manual relating to the use and reporting of force by Department personnel. On June 24, 2013, the Department approved a revised Force Manual, which will be published this week. The revised manual, which does not change the fundamental principles of the new Force Policy promulgated at the beginning of the year, is better organized, clearer, and will be easier to use. Department personnel are required to acknowledge that they have read and understand the new Force Policy, and 98% of the Department’s personnel have now received training in the fundamental principles of the policy.

MANAGEMENT

The Sheriff has extensively re-organized the management of the Department. With the pending retirement of the Undersheriff, who will not be replaced, the Department has four Assistant Sheriffs who are responsible for overseeing Custody Operations, Patrol Operations, Countywide Services, and Administration & Professional Standards. Each Assistant Sheriff reports directly to the Sheriff. Following the Commission’s recommendation, the recently appointed Assistant Sheriff for Custody Operations is responsible for only the Custody Division. She recently reorganized the Custody Division into a Custody Services Division – General Population and a Custody Services Division – Specialized Programs under Chiefs who report directly to her. An

Administrative Commander who has been responsible for the implementation of the Commission's recommendations also reports directly to her.

The Consultants and I reviewed and approved the Department's Implementation Plan and Personnel & Budget Proposal for the Inspectional Service Command, which is based upon the Department's analysis of existing departmental inspections, the work and resources of other police audit divisions, and an internal Risk Assessment Survey that identified and prioritized areas of concern. The Implementation Plan set forth the steps required for Audit Planning and Execution and for reviews by an Inspectional Review Panel, an 18-month timeline for creating the command in four phases, detailed organization charts, and objectives and expected outcomes for each phase. I submitted the Department's proposal to the CEO on June 7, 2013 with our approval. In response to the CEO's request for additional information, on June 28, 2013, the Department submitted detailed Duty Statements and a Budget Request Worksheet for the Inspectional Service Command proposal directly to the CEO. The proposal is now under review by the CEO.

CULTURE

The Department has continued to emphasize respect for and communications with inmates through the Force Prevention Policy, the Education Based Incarceration program, and Town Hall meetings. It has enhanced the training of new Custody Division personnel in the principles of the Force Prevention Policy, ethics, and destructive cliques, and it has submitted to the Chief Executive's Office a staffing proposal for a new Custody Division Training Bureau to provide additional training to current Custody Deputy Sheriffs and Custody Assistants. The Department also has established a Dual

Track Career Path that provides deputies with opportunities for careers in the Custody Division and has enhanced the penalty guidelines for dishonesty to further address the culture problems identified by the Commission. Finally, each of the Unit Commanders has issued a unit directive providing for the rotation of deputies and Custody Assistants who have regular contact with inmates, taking into consideration the unique configuration and inmate population of each facility.

PERSONNEL AND TRAINING

The Department has submitted to the Chief Executive's Office proposals to create a Custody Division Training Bureau that will develop a robust post-Academy training program for both new and existing personnel. After a number of discussions between the Department and the Chief Executive's Office to refine the Department's proposals in light of budget constraints, the CEO reports that it "has concluded its preliminary review of the Department's request and has asked for a more comprehensive proposal." The Department is in the process of responding to the CEO's request, and the CEO "anticipate[s] a recommendation to the Board will be submitted within the next 60 days" from July 2, 2013.

Under the directions of the Assistant Sheriff for Custody, the Department has conducted a comprehensive analysis of the Custody Division staffing and supervision to determine the number of additional supervisors it needs in each of the jail facilities. The Consultants asked for additional information from the Department to complete their evaluation of the Department's requests, which the Department has now provided. The Consultants and I met with the Department this week to review the proposal in light of the additional information, and I anticipate that the funding request for additional

supervisors will be submitted to the CEO before the end of the month. The Department has also frozen Deputy Sheriff positions to increase in the ratio of Custody Assistants to Deputy Sheriffs and expects to achieve the agreed upon 65/35 ratio by the end of the month.

DISCIPLINE

The Department has agreed to revamp its investigative and disciplinary system, which will increase the number of force investigations by IAB and require that Administrative Investigations of possible misconduct not be conducted by deputies' supervisors. The Department has submitted proposals to increase the number of IAB and ICIB investigators, which the Consultants evaluated and I submitted to the CEO with the Consultants' recommendations. In response to the CEO's request, the Department is in the process of completing a detailed proposal for additional IAB and ICIB resources.

The Department has responded to the CEO's request for additional information regarding the Department's request for the funding of seven additional Compliance Lieutenants (one for both the North and South facilities and one for each of the other six facilities) to analyze inmate grievances, monitor and track force reviews, and conduct Administrative Investigations of possible deputy misconduct. The CEO anticipates submitting its recommendations regarding the Compliance Lieutenants and additional IAB and ICIB resources by the beginning of September.

LOOKING FORWARD

The Department's funding requests to create the Custody Division Training Bureau, for seven Compliance Lieutenants to monitor and conduct force investigations, and for additional resources for IAB and ICIB are under review by the CEO, which

anticipates recommendations to the Board regarding these requests by the beginning of September. The Department's funding request for an Inspectional Services Command is under review by the CEO and its funding request for additional supervisors is under review by the Consultants and the Monitor. I anticipate that we will submit our evaluation and recommendation regarding the Department's request for additional supervisors to the CEO by the end of the month.

Appendix

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.		RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report	7th Report
USE OF FORCE	3.1	Comprehensive and easy-to-understand Use of Force policy in single manual	Partial	NC	NC	NC	NC	Implemented
	3.2	LASD personnel should be required to read and understand the new UOF policy	Implemented	NC	NC	NC	NC	NC
	3.3	LASD personnel should receive training on the new UOF policy	Implemented	NC	NC	NC	NC	NC
	3.4	The Use of Force policy should reflect Force Prevention and anti-retaliation policies	Implemented	NC	NC	NC	NC	NC
	3.5	The Use of Force policy should be based upon objectively reasonable standard	Partial	NC	NC	NC	NC	Implemented
	3.6	The Use of Force policy should reflect preference for planned, supervised, and directed force	Partial	NC	NC	NC	NC	Implemented
	3.7	The Use of Force policy should account for special needs populations	Partial	NC	NC	NC	NC	Implemented
	3.8	LASD should have a single, reliable and comprehensive data tracking system	Not started	NC	NC	In progress	NC	NC
	3.9	Inmate grievances should be tracked in PPI by names of LASD personnel	In progress	NC	NC	NC	NC	NC
	3.10	LASD should analyze inmate grievances regarding use of force incidents	Partial	NC	NC	NC	NC	NC
	3.11	Use of force statistical data must be tracked and analyzed in real time by management	Implemented	NC	NC	NC	NC	NC
	3.12	LASD should purchase additional body scanners	In progress	NC	NC	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

MANAGEMENT	NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report	7th Report
	4.1	Personal engagement by Sheriff in oversight of jails	Implemented	NC	NC	NC	NC	NC
	4.2	High level managers must be accountable for failing to address use of force problems	In progress	NC	NC	NC	NC	NC
	4.3	The Undersheriff should not have any responsibility for custody or discipline	Implemented	NC	NC	NC	NC	NC
	4.4	LASD should create a new Assistant Sheriff position for Custody	In progress	Implemented	NC	NC	NC	NC
	4.5	The Sheriff should appoint a new Custody Assistant Sheriff with corrections experience	In progress	Implemented	NC	NC	NC	NC
	4.6	The Custody Assistant Sheriff should report directly to the Sheriff	Implemented	NC	NC	NC	NC	NC
	4.7	The Commander Management Task Force should not be a part of Custody management	Implemented	NC	NC	NC	NC	NC
	4.8	The Sheriff must monitor the use of force in the jails	Implemented	NC	NC	NC	NC	NC
	4.9	LASD should utilize the Sheriff's Critical Incident Forum (SCIF) in Custody	Implemented	NC	NC	NC	NC	NC
	4.10	Senior management must be more visible in the jails	Implemented	NC	NC	NC	NC	NC
	4.11	Operations support should be allocated based unique needs of each facility	In progress	NC	NC	NC	NC	NC
	4.12	LASD should created an Internal Audit and Inspection Division under a single Chief	In progress	NC	NC	NC	NC	NC
	4.13	LASD should have a policy regarding campaign contributions	In progress	Implemented	NC	NC	NC	NC
	4.14	LASD should participate in the Large Jail Network	Implemented	NC	NC	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.		RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report	7th Report
CULTURE	5.1	LASD must emphasize respect for, and communications with, inmates	Implemented	NC	NC	NC	NC	NC
	5.2	Force prevention policy should be stressed in Academy and Custody Division training	Partial	NC	NC	NC	NC	NC
	5.3	Ethics training should be enhanced in Academy and Custody Division training	Partial	NC	NC	NC	NC	NC
	5.4	Custody should be a valued and respected assignment and career	In progress	Implemented	NC	NC	NC	NC
	5.5	Senior leaders must be more visible in the jails	Implemented	NC	NC	NC	NC	NC
	5.6	LASD must have a zero tolerance policy for acts of dishonesty	In progress	NC	Implemented	NC	NC	NC
	5.7	LASD should have a sensible rotation policy	In progress	Partial	NC	Implemented	NC	NC
	5.8	LASD should discourage participation in cliques	Partial	NC	NC	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.		RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report	7th Report
PERSONNEL AND TRAINING	6.1	LASD should revise its policies to reflect Custody's importance to Department	In progress	Partial	NC	NC	NC	NC
	6.2	LASD should develop and implement a long-range and steady hiring plan	Implemented	NC	NC	NC	NC	NC
	6.3	Custody personnel should receive significantly more Custody-specific training	Partial	NC	NC	NC	NC	NC
	6.4	There should be a meaningful probationary period for Custody deputies	Implemented	NC	NC	NC	NC	NC
	6.5	LASD should increase the number of Custody supervisors	Not started	NC	NC	In progress	NC	NC
	6.6	LASD should provide for careers in custody	In progress	Implemented	NC	NC	NC	NC
	6.7	LASD should utilize more custody assistants	In progress	NC	NC	NC	Partial	NC
	6.8	LASD should implement rotations within and among proximate facilities	In progress	Partial	NC	Implemented	NC	NC
	6.9	LASD should change its Mission Statement to reflect importance of Custody	Implemented	NC	NC	NC	NC	NC
	6.10	LASD should create a separate Custody Division	In progress	Partial	NC	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

	NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report	7th Report
DISCIPLINE	7.1	The investigative and disciplinary system should be revamped	In progress	NC	NC	NC	NC	NC
	7.2	The CFRC should monitor force packages	Implemented	NC	NC	NC	NC	NC
	7.3	Preclude deputies from reviewing videos before reporting use of force	Partial	NC	NC	NC	NC	Implemented
	7.4	Separate deputies involved in significant use of force incidents	Partial	NC	NC	NC	NC	Implemented
	7.5	Internal Affairs and ICIB should be enhanced and re-organized under a Chief	In progress	NC	Implemented	NC	NC	NC
	7.6	IAB should be appropriately valued	In progress	Partial	NC	NC	NC	NC
	7.7	There should be enhanced penalties for excessive force and dishonesty	In progress	NC	Implemented	NC	NC	NC
	7.8	There should be a Risk Manager assigned to each custody facility	In progress	NC	NC	NC	NC	NC
	7.9	Force investigations should not be conducted by deputies' supervisors	In progress	NC	NC	NC	NC	NC
	7.10	Use of force and dishonesty charges should not be reduced or held in abeyance	In progress	NC	Partial	NC	NC	NC
	7.11	LASD should vigorously investigate and discipline off-duty misconduct	Implemented	NC	NC	NC	NC	NC
	7.12	LASD should have an enhanced system to track force investigations	In progress	NC	NC	Implemented	NC	NC
	7.13	Inmate use of force complaints should be tracked in PPI	In progress	NC	NC	NC	NC	NC
	7.14	LASD should improve the inmate grievance process	In progress	NC	NC	NC	Partial	NC
	7.15	Increased use of Lapel Cameras	In progress	NC	NC	NC	NC	NC
OVERSIGHT	8.2	The Sheriff should regularly report to the Board of Supervisors	Implemented	NC	NC	NC	NC	NC